



030472.1

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Katherine A HORNUNG :
Serial No.: 10/037,203 : Examiner: Chandler, Sara M.
Filed: January 4, 2002 : Art Unit: 3693
For: METHOD FOR IDENTITY THEFT PROTECTION

AFFIDAVIT UNDER 37 C.F.R. 1.131

COMMONWEALTH OF Virginia

CITY/COUNTY OF Richmond, to-wit:

I, Katharine A. Hornung being duly sworn, do hereby depose and say:

1. That I am the inventor of the claimed subject matter of the above identified U.S. patent application.

2. Prior to December 11, 2000, I conceived this claimed subject matter. On December 1, 2000, I retained counsel to prepare and file a provisional patent application covering the subject matter. A first draft of the provisional patent application was completed on December 27, 2000 and the provisional patent application was diligently filed on January 4, 2001. A copy of the engagement letter dated December 1, 2000 confirming my retention of Williams Mullen to prepare my provisional patent application is attached.

3. The drawings show the complete detail of the subject matter claimed in the present invention. Comparing the figures to the figures of the patent application:

Provisional FIG. corresponding to Application FIG.
Page 4 Fig. 1

Copies of these figures are attached.

4. The present pending utility patent application properly claims the benefit of the January 4, 2001 provisional patent application and was filed on January 4, 2002.

Further affiant sayeth not.


Katharine A. Hornung

Sworn to and subscribed before me by Katharine A. Hornung this 11 day of September, 2007, in the aforesaid City and State.


Notary Public

My commission expires: 7-31-2011



PHONE: (804) 643-1991
FAX: (804) 783-6507

E-MAIL ADDRESS:
ltitley@wmcd.com

DIRECT DIAL:
(804) 783-6431

INTERNET ADDRESS:
www.wmcd.com

**WILLIAMS MULLEN
CLARK & DOBBINS**
ATTORNEYS & COUNSELORS AT LAW
A PROFESSIONAL CORPORATION

TWO JAMES CENTER
1021 EAST CARY STREET
P.O. BOX 1320
RICHMOND, VA 23218-1320

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AFFILIATE OFFICE:
DETROIT

December 1, 2000

Ms. Katherine Hornung
11106 Fox Meadow Drive
Richmond, Virginia 23233

Dear Kati:

I am pleased to confirm your engagement of us to represent you in connection with your patent matters.

The purpose of this letter is to confirm our engagement as your counsel and to give you information about our policies regarding fees, expenses, cost containment, billing, and other terms that will govern our attorney-client relationship. We do not wish to be overly formal in our relationship, yet we have found it a helpful practice to outline the nature and terms of our representation at the outset.

The firm's Standard Terms of Engagement accompanies this letter. Please review it and let me know if you have any questions about the terms that apply to our representation.

As you will see, we have a policy of requiring an advance deposit for fees and costs. For this matter we have determined that an advance deposit of \$750.00 is appropriate, and our representation will be undertaken upon our receipt thereof. The advance deposit will be placed in our trust account to your credit and applied towards fees for services rendered and costs incurred. The advance deposit is not, of course, a projection of the aggregate fees and costs for our representation.

Please sign and return the enclosed copy of this letter if the stated terms of our engagement are satisfactory. If there are any questions, please let me know immediately so that we can resolve them and proceed with a uniform understanding of our relationship. We look forward to our representation of you and appreciate the opportunity.

Yours very truly,

Dan D. Titley

IDT:rt
Enclosure

cc: Allyson M. Sladic, Esquire

Approved this 16 day of December, 2000.

Katherine Hornung

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Provisional
app



Method for detecting and confirming identity theft

Provisional Patent Application

December 19, 2000

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Method for detecting and confirming identity theft

Abstract

Identity theft is a rising crime across America. Although consumers can take precautionary measures to prevent their identity from being easily stolen, there is nothing they can do to guarantee that their identity will not be stolen. Additionally, there is currently no system in place to assist consumers in easily monitoring their credit header information and open lines of credit. By monitoring open lines of credit, a potential identity theft occurrence can be quickly identified and the damage mitigated. This invention identifies a process to confirm and monitor the validity of all open lines of credit associated with an individual, and services necessary to confirm and correct any cases of mistaken or stolen identity.

Inventor

Mrs. Katharine A. Hornung, CPA

Asignee

Performance Solutions, Inc.

Description

Background of the Invention

Field of the Invention

This invention primarily relates to the following fields: consumer services, finance and insurance. First, the invention is focused on providing a consumer service by monitoring and confirming all pertinent credit information that might indicate an identity theft. Second, because the financial industry is held responsible for covering the majority of the financial losses resulting from identity theft, it is a beneficiary of the ability to minimize identity theft risk and loss. Finally, the insurance industry could utilize this invention to provide assurance and mitigate damages if writing policies to protect consumers from identity theft.

Background Description

There are currently many resources available to consumers, which outline precautionary measures to avoid having one's identity easily stolen. However, because of the numerous uses of an individual's social security number and other private information used to confirm identity, it is not easy to prevent someone from accessing all private information. In the inventor's opinion, nothing can be done to guarantee that one's identity will not be stolen. However, something can be done to notify a consumer of a potential financial identity theft and assist the proper authorities in quickly apprehending identity theft perpetrators. This invention's primary purpose is to provide a tool for monitoring all credit activity that could indicate an identity theft.

Summary of the Invention

There are numerous credit reporting agencies in the United States, among them the three primary credit reporting agencies are: Equifax, Experian, and TransUnion. Credit reporting agencies gather all reported credit information as it pertains to consumers within their databases. The credit reporting agencies market access to their databases to companies, who generally use the information for marketing or as an input to the decision process for extending credit to a consumer.

This same information used by businesses for marketing and credit granting can be easily used to protect consumers against identity thieves. By confirming the validity of all credit header information (name, address, phone number, social security number, etc.) and open lines of credit, a consumer can be secure in the knowledge that, at that time, his or her identity has not been stolen. However, because this is only a confirmation at that point in time, the credit information must be monitored and verified on an on-going basis. If any unauthorized changes do occur, the identity theft or mistaken identity can be dealt with immediately and cause as little interruption to the consumer's life as possible.

Narrative of Sample Process

Jane Doe, an average 30 year old with an average credit history, has several open lines of credit, including three credit cards, a mortgage, and a home equity line of credit. On August 1, 2001, Jane has decided she would like to protect herself from identity theft by subscribing to the services set forth herein. Jane contacts the Company ABC, which provides the services, and is walked through the "new member" process. The person assisting Jane at Company ABC first requests Jane's private information necessary to pull accurate credit reports from each of the big three credit agencies (Equifax, TransUnion and Experian).

Next, Company ABC requests Jane's current credit information of the big three agencies. On all three reports, all of the credit information regarding Jane's employer, address, previous addresses, etc. is correct. On two of the three reports, Jane's open credit line information is also correct. On one of the three credit reports, an old credit card account with Sears is reported as still open, although Jane closed it two years ago. Company ABC facilitates Jane's "investigation" with that credit agency, to challenge the information reported on the Sears credit card. The "new member" process with Company ABC is now complete.

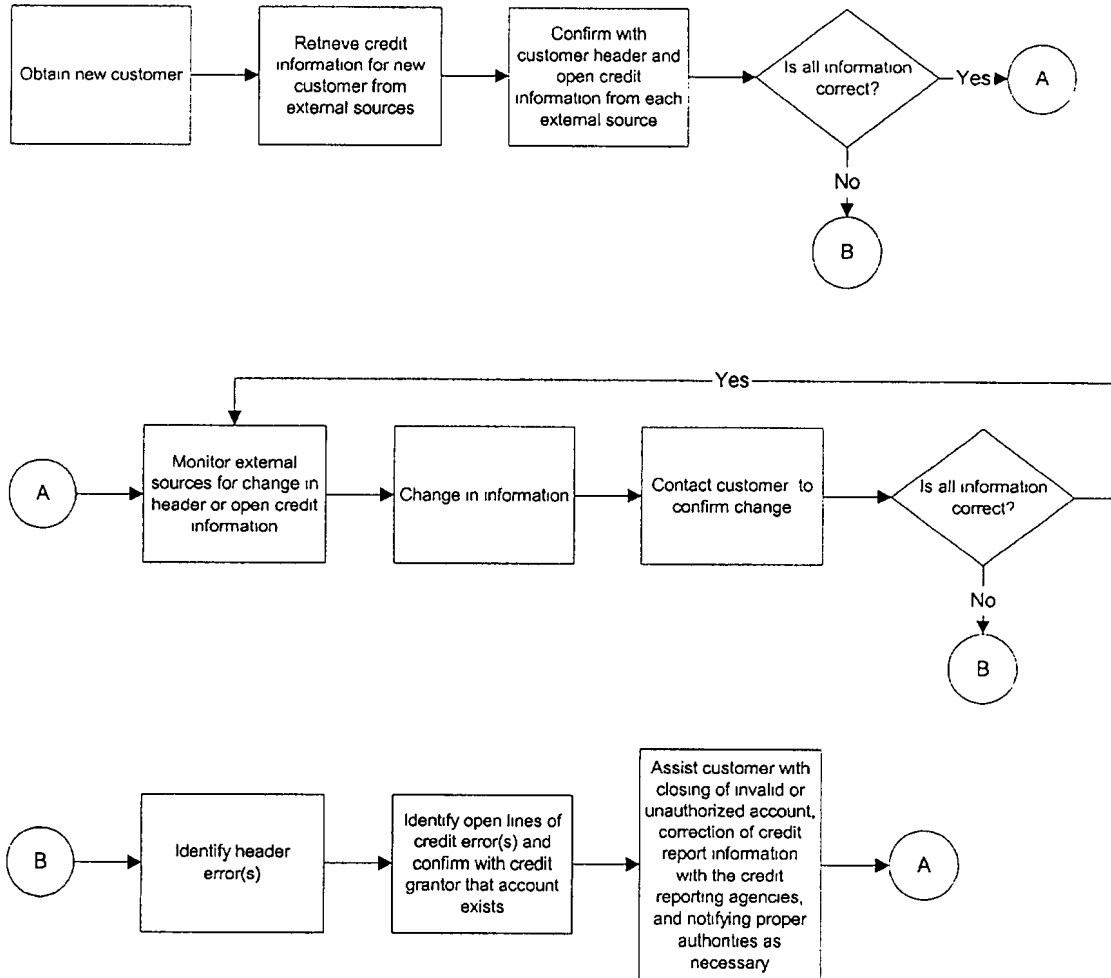
For as long Jane Doe keeps her subscription for the services identified in this patent current, Company ABC will track Jane Doe's credit reports at all three large credit reporting agencies for any change in header information (employer, address, previous addresses, etc.) or any change to her lines of credit.

On September 3, 2001, there is a new credit card opened in Jane Doe's name that appears on two of the credit reporting agencies' databases. Company ABC initiates the "positive confirmation for changes" process and contacts Jane Doe to confirm that the credit card is hers. Jane Doe confirms that she applied for a new card, and the "positive confirmation for changes" process is complete and Company ABC resumes its monitoring process for any future changes in Jane's credit information.

On December 20, 2003, there is a change in Jane's address information on one of the credit reporting databases. Company ABC initiates the "positive confirmation for changes" process and contacts Jane Doe to confirm that the change is correct. Jane Doe does not confirm the change, and says that she has not moved. Company ABC facilitates Jane's "investigation" with the credit agency, to challenge the change in address information reported in the database. The "positive confirmation for changes" process with Company ABC is now complete and Company ABC again resumes its monitoring process for any future changes in Jane's credit information.

Drawing of Summary Process(es)

The following drawing identifies the summary-level process(es) that occur during the life cycle of a sample customer's account.



Detailed Description of Embodiment of the Invention

Consumer services division or company

A division or company could be formed to assist consumers in identifying and monitoring for identity theft. This same company could also provide services to consumers who were/are victims of identity theft to help correct credit reports and close unauthorized lines of credit.

Financial service or account "add-on"

A financial services company may wish to market an account or service (such as a credit card, loan, brokerage account or service, etc.) which would aid a consumer in protecting him/herself against identity theft. The company might provide, as an "add-on" to the account or service, the monitoring service described in this provisional patent.

Financial services division

A financial services firm, with a vested interest in ensuring that they did not open unauthorized accounts, might provide the monitoring service described in this provision patent through the use of a division designed to provide this service for all new and/or existing customers.

Insurance marketing

An insurance company might be interested in providing insurance for identity theft losses. The insurance company, with no guaranteed way of preventing identity theft, would utilize the monitoring services described in this provision patent to quickly identify any unauthorized changes to accounts and to mitigate losses to the insured.

utility app
Figure

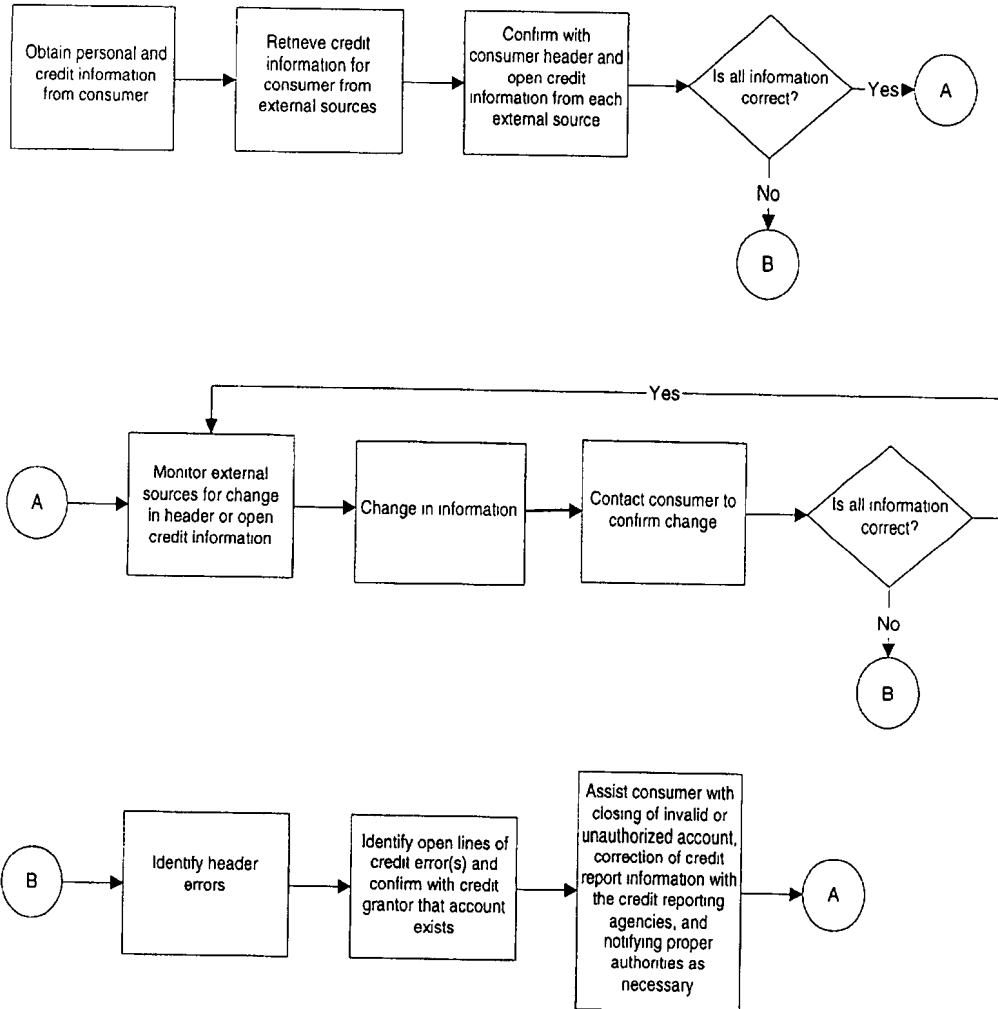


Fig. 1